

**ASSIGNMENT**

**WHEREAS** we, **JAMES WEB KASSEBAUM** of the City of Indianapolis, County of Marion, State of Indiana, **PAUL THOMAS PUGH** of the City of Knightstown, County of Henry, State of Indiana, and **WILLIAM WEBSTER THOMPSON** of the City of Indianapolis, County of Marion, State of Indiana, have made an invention which is the subject of a PROVISIONAL PATENT APPLICATION, titled TOPICAL ORGANIC ECTOPARASITICIDAL FORMULATIONS; and comprising 20 pages (hereinafter the "Application"); and

**WHEREAS ELI LILLY AND COMPANY**, an Indiana corporation having its principal place of business at Lilly Corporate Center, Indianapolis, Indiana 46285, wishes to acquire our entire right, title, and interest in the Application and in all inventions disclosed in the Application;

**NOW, THEREFORE**, in consideration of the sum of one dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, we hereby sell, assign, transfer and set over unto Eli Lilly and Company, its successors and assigns (collectively, "Lilly") our entire right, title, and interest in, the Application and in all inventions disclosed therein; all rights of priority thereto pursuant to the International Convention for the Protection of Industrial Property; any and all present or future patent applications to such inventions that may be filed in the United States or any foreign country, inclusive of, but not limited to, continuations, continuations-in-part, divisions, substitutions, reexaminations, reissues, international applications under the Patent Cooperation Treaty ("PCT"), United States provisional patent applications, certificates of addition, utility models, petty patents, as well as all other intellectual property related to the Application, inclusive of, but not limited to, supplementary protection certificates, copyrights, trademarks, and data package exclusivity rights; and any and all Letters Patent of the United States and of all foreign countries and all related patent term extensions which may be granted for Letters Patent with respect to the Application; all of the above to be held and enjoyed by Lilly for its own use and enjoyment to the full end of the term or terms for which such Letters Patent and related intellectual property rights may be granted, as fully and entirely as the same would have been held and enjoyed by us had this Assignment and sale to Lilly not been made.

For ourselves and for our heirs, successors and legal representatives, we covenant that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this Assignment.

For ourselves and for our heirs, successors and legal representatives, we further covenant and agree with Lilly that upon request we and they will, without further consideration than that now paid, but at the expense of Lilly: (i) execute original, provisional, substitute, continuation, divisional, continuation-in-part, reexamined, or reissued applications, amended specifications, or rightful declarations or oaths for such application; (ii) communicate to Lilly any facts known to us or them relating to such inventions or the history thereof; (iii) execute preliminary statements and testify in any interference proceedings, litigation discovery proceedings and depositions, oppositions, cancellation proceedings, priority contests, public use proceedings, administrative agency proceedings, litigation and other court actions and the like; (iv) execute and deliver any application papers, affidavits, declarations, assignments, or other instruments; and (v) do all other acts which, in the opinion of counsel for Lilly, may be necessary or desirable to secure the grant of Letters Patent and related intellectual property to Lilly or its nominees, in the United States and in all other countries where Lilly may

desire to have such inventions, or any of them, patented, with specifications and claims in such form as shall be approved by counsel for Lilly and to vest and confirm in Lilly or its nominees the full and complete legal and equitable title to all such Letters Patent and related intellectual property.

IN WITNESS WHEREOF we have executed this assignment on the date indicated below.

10/11/99  
Date

10/7/99  
Date

10/7/99  
Date

James Web Kassebaum  
James Web Kassebaum  
Paul Thomas Pugh  
Paul Thomas Pugh  
William Webster Thompson  
William Webster Thompson

UNITED STATES OF AMERICA

STATE OF INDIANA )  
 ) ss:  
COUNTY OF HANCOCK )

(DATE) 10.11.99

Before me, a Notary Public for HANCOCK County, State of Indiana, personally appeared James Web Kassebaum and acknowledged the execution of the foregoing instrument this 11 day of Oct 1999.

Robin A. Montani  
Notary Public

My Commission Expires

7-1-00

UNITED STATES OF AMERICA

STATE OF INDIANA )  
 ) ss:  
COUNTY OF HANCOCK )

(DATE) 10/7/99

Before me, a Notary Public for HANCOCK County, State of Indiana, personally appeared Paul Thomas Pugh and acknowledged the execution of the foregoing instrument this 7TH day of October 1999.

Patricia L. Lottidge  
Notary Public

My Commission Expires

07-27-06

## UNITED STATES OF AMERICA

STATE OF INDIANA )

) ss:

(DATE) 10/7/99

COUNTY OF HANCOCK )

Before me, a Notary Public for Hancock County, State of  
Indiana, personally appeared William Webster Thompson and acknowledged the  
execution of the foregoing instrument this 7TH day of October,  
1999.

Patricia Rutledge  
Notary Public

My Commission Expires

07-27-06

Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patents & Trademarks, Box Assignments  
Washington, D.C. 20231

**ASSIGNMENT**

WHEREAS we, James Web Kassebaum, City of Indianapolis, County of Marion, State of Indiana; Paul Thomas Pugh, City of Knightstown, County of Henry, State of Indiana; and William Webster Thompson, City of Indianapolis, County of Marion, State of Indiana, have made an invention which is the subject of an international application under the Patent Cooperation Treaty ("PCT") patent application entitled TOPICAL ORGANIC ECTOPARASITICIDAL FORMULATIONS, containing 19 pages, and which is to be filed in the United States Patent and Trademark Office acting as PCT Receiving Office ("Application"); and we hereby authorize and direct our common representative to insert below the filing date and application number when they become known: PCT/US 00 /19549 filed 7/26/00; and

WHEREAS ELY LILLY AND COMPANY, an Indiana corporation having its principal place of business at Lilly Corporate Center, Indianapolis, Indiana 46285, wishes to acquire the entire interest in all inventions disclosed in such Application;

NOW, THEREFORE, in consideration of the sum of one dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, we hereby sell, assign, transfer and set over unto Eli Lilly and Company, its successors and assigns (collectively "Lilly") our entire right, title and interest in, to and under the Application, including all priority rights for other countries arising therefrom, all inventions therein disclosed, and any and all present or future patent applications to such inventions that may be filed in the United States or any foreign country, inclusive of, but not limited to, continuations, continuations-in-part, divisions, substitutions, reexaminations, reissues, international applications under the Patent Cooperation Treaty ("PCT"), United States provisional patent applications, certificates of addition, utility models, petty patents, as well as all other intellectual property related to the Application, inclusive of, but not limited to, supplementary protection certificates, copyrights, trademarks, and data package exclusivity rights; and any and all Letters Patent of the United States and of all foreign countries and all related patent term extensions which may be granted for Letters Patent with respect to the Application; all of the above to be held and enjoyed by Lilly for its own use and enjoyment to the full end of the term or terms for which such Letters Patent and related intellectual property rights may be granted, as fully and entirely as the same would have been held and enjoyed by us had this Assignment and sale to Lilly not been made.

For ourselves and for our heirs, successors and legal representatives, we covenant that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this Assignment.

For ourselves and for our heirs, successors and legal representatives, we further covenant and agree with Lilly that upon request we and they will, without further consideration than that now paid, but at the expense of Lilly: (i) execute original, provisional, substitute, continuation, divisional, continuation-in-part, reexamined, or reissued applications, amended specifications, or rightful declarations or oaths for such application; (ii) communicate to Lilly any facts known to us or them relating to such inventions or the history thereof; (iii) execute preliminary statements and testify in any interference proceedings, litigation discovery proceedings and depositions, oppositions, cancellation proceedings, priority contests, public use proceedings, administrative agency proceedings, litigation and other court actions and the like; (iv) execute and deliver any application papers, affidavits, declarations, assignments, or other instruments; and (v) do all other acts which, in the opinion of counsel for Lilly, may be necessary or desirable to secure the grant of Letters Patent and related intellectual property to Lilly or its nominees, in the United States and in all other countries where Lilly may desire to have such inventions, or any of them, patented, with specifications and claims in such form as shall be approved by counsel for Lilly and to vest and confirm in Lilly or its nominees the full and complete legal and equitable title to all such Letters Patent and related intellectual property.

IN WITNESS WHEREOF we have executed this assignment on the date indicated below.

July 21, 2000  
Date

James Web Kassebaum  
James Web Kassebaum

UNITED STATES OF AMERICA

STATE OF INDIANA )  
COUNTY OF ) ss:

Before me, a Notary Public for Hancock County, State of Indiana, personally appeared James Web Kassebaum and acknowledged the execution of the foregoing instrument this 21st day of July, 2000.

Patricia K. Shisehart  
Notary Public

My commission expires:

April 10, 2008

July 21, 2000  
Date

Paul Thomas Pugh  
Paul Thomas Pugh

UNITED STATES OF AMERICA

STATE OF INDIANA )  
COUNTY OF ) ss:

Before me, a Notary Public for Hancock County, State of Indiana, personally appeared Paul Thomas Pugh and acknowledged the execution of the foregoing instrument this 21st day of July, 2000.

Patricia K. Shisehart  
Notary Public

My commission expires:

April 10, 2008

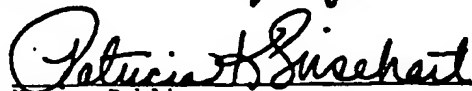
7/21/00  
Date

  
William Webster Thompson

UNITED STATES OF AMERICA

STATE OF INDIANA     )  
                              ) ss:  
COUNTY OF             )

Before me, a Notary Public for Hancock County, State of Indiana,  
personally appeared William Webster Thompson and acknowledged the execution of  
the foregoing instrument this 21st day of July, 2000.

  
Notary Public

My commission expires:

April 10, 2008



**PCT**WORLD INTELLECTUAL PROPERTY ORGANIZATION  
International Bureau

## INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

(51) International Patent Classification <sup>6</sup> : <b>A61K</b>	<b>A2</b>	(11) International Publication Number: <b>WO 00/01347</b> (43) International Publication Date: 13 January 2000 (13.01.00)
<p>(21) International Application Number: PCT/US99/13925</p> <p>(22) International Filing Date: 21 June 1999 (21.06.99)</p> <p>(30) Priority Data: 60/091,658 2 July 1998 (02.07.98) US</p> <p>(71) Applicant (for all designated States except US): ELI LILLY AND COMPANY [US/US]; Lilly Corporate Center, Indianapolis, IN 46285 (US).</p> <p>(72) Inventor; and (75) Inventor/Applicant (for US only): SNYDER, Daniel, Earl [US/US]; 7348 Yorkshire Boulevard, Indianapolis, IN 46229 (US).</p> <p>(74) Agents: GRAY, Edouard, P. et al.; Eli Lilly and Company, Lilly Corporate Center, Indianapolis, IN 46285 (US).</p>		<p>(81) Designated States: AE, AL, AM, AU, AZ, BA, BB, BG, BR, BY, CA, CN, CU, CZ, EE, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LV, MD, MG, MK, MN, MW, MX, NO, NZ, PL, RO, RU, SD, SG, SI, SK, SL, TJ, TM, TR, TT, UA, UG, US, UZ, VN, YU, ZA, ZW, ARIPO patent (GH, GM, KE, LS, MW, SD, SL, SZ, UG, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GW, ML, MR, NE, SN, TD, TG).</p> <p><b>Published</b> Without international search report and to be republished upon receipt of that report.</p>
<p>(54) Title: FORMULATIONS FOR CONTROLLING HUMAN LICE</p> <p>(57) Abstract</p> <p>Safer pediculicidal formulations comprising a spinosyn, or a physiologically acceptable derivative or salt thereof, and a physiologically acceptable carrier, and methods of controlling lice infestations in a human with these formulations are provided.</p>		





US006063771A

**United States Patent** [19]**Snyder**[11] **Patent Number:** **6,063,771**[45] **Date of Patent:** **May 16, 2000**[54] **FORMULATIONS FOR CONTROLLING  
HUMAN LICE**

5,591,606	1/1997	Turner et al.	435/76
5,767,253	6/1998	Turner et al.	536/6.5
5,840,861	11/1998	Mynderse et al.	536/16.8

[75] **Inventor:** **Daniel Earl Snyder, Indianapolis, Ind.**[73] **Assignee:** **Eli Lilly and Company, Indianapolis, Ind.**[21] **Appl. No.:** **09/338,116**[22] **Filed:** **Jun. 22, 1999****Related U.S. Application Data**[60] **Provisional application No. 60/091,658, Jul. 2, 1998.**[51] **Int. Cl.<sup>7</sup>** ..... **A61K 31/70**[52] **U.S. Cl.** ..... **514/31; 514/881**[58] **Field of Search** ..... **514/310**[56] **References Cited****U.S. PATENT DOCUMENTS**

4,927,813	5/1990	Bernstein	514/65
5,202,242	4/1993	Mynderse et al.	435/76
5,227,163	7/1993	Eini et al.	424/195.1
5,288,483	2/1994	Cardin et al.	424/70
5,496,931	3/1996	Boeck et al.	536/7.1

**OTHER PUBLICATIONS**

CA130:193066, Sparks et al, J. Econ. Entomol., 91(6), 1277-1283, 1998.

CA126:234728, Deamicis et al., ACS Sympos. Ser, 658, 144-154, 1997.

C.V. DeAmicis et al. "Physical and Biological Properties of the Spinosyns: Novel Macrolide Pest-Control Agents from Fermentation," American Chemical Society Symposium Series: *Phytochemicals for Pest Control*, Chapter 11, pp. 144-154 (1977).**Primary Examiner**—Rebecca Cook**Attorney, Agent, or Firm**—Frederick D. Hunter[57] **ABSTRACT**

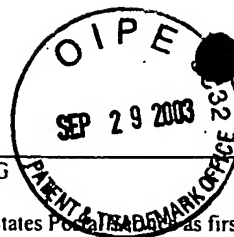
Safer pediculicidal formulations comprising a spinosyn, or a physiologically acceptable derivative or salt thereof, and a physiologically acceptable carrier, and methods of controlling lice infestations in a human with these formulations are provided.

**14 Claims, No Drawings**



US006342482B1

(12) **United States Patent**  
**Snyder**(10) Patent No.: **US 6,342,482 B1**  
(45) Date of Patent: **\*Jan. 29, 2002**(54) **FORMULATIONS FOR CONTROLLING  
HUMAN LICE**(75) Inventor: **Daniel Earl Snyder, Indianapolis, IN  
(US)**(73) Assignee: **Eli Lilly and Company, Indianapolis,  
IN (US)**(\*) Notice: Subject to any disclaimer, the term of this  
patent is extended or adjusted under 35  
U.S.C. 154(b) by 0 days.This patent is subject to a terminal dis-  
claimer.(21) Appl. No.: **09/543,441**(22) Filed: **Apr. 5, 2000****Related U.S. Application Data**(63) Continuation of application No. 09/338,116, filed on Jun. 22,  
1999, now Pat. No. 6,063,771.(60) Provisional application No. 60/091,658, filed on Jul. 2,  
1998.(51) Int. Cl.<sup>7</sup> ..... **A61K 31/76**(52) U.S. Cl. .... **514/31; 514/880**(58) Field of Search ..... **514/31**(56) **References Cited****U.S. PATENT DOCUMENTS**4,927,813 A 5/1990 Bernstein  
5,202,242 A 4/1993 Mynderse et al.5,227,163 A 7/1993 Eini et al.  
5,288,483 A 2/1994 Cardin et al.  
5,496,931 A 3/1996 Boeck et al.  
5,571,901 A 11/1996 Boeck et al.  
5,591,606 A 1/1997 Turner et al.  
5,767,253 A 6/1998 Turner et al.  
5,840,861 A 11/1998 Mynderse et al.**FOREIGN PATENT DOCUMENTS**EP 0 375 316 12/1994  
WO 92 05764 4/1992  
WO 93 09126 5/1993**OTHER PUBLICATIONS**C.V. DeAmicis, et al, "Physical and Biological Properties of  
the Spinosyns: Novel Macrolide Pest-Control Agents from  
Fermentation," *American Chemical Society Symposium  
Series: Phytochemicals for Pest Control*, Chapter 11, pp.  
144-154 (1997).CA 130: 193066, Sparks, et al., *J. Econ. Entomol.*, 91 (6)  
1277-1283 (1998).CA 126: 234728, de Amicis, et al., *ACS Sympos. Ser.* 635,  
144-154 (1997).*Primary Examiner*—Rebecca Cook(74) *Attorney, Agent, or Firm*—John C. Demeter(57) **ABSTRACT**Safer pediculicidal formulations comprising a spinosyn, or a  
physiologically acceptable derivative or salt thereof, and a  
physiologically acceptable carrier, and methods of control-  
ling lice infestations in a human with these formulations are  
provided.**12 Claims, No Drawings**



## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Arlington, VA 22202, on the date appearing below.

By W. S. Rhodes

ELI LILLY AND COMPANY

Date

12-13-02

## PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : James Web Kassebaum, et al. )  
 Serial No. : 10/048,242 )  
 Filed : September 13, 2002 ) Group Art Unit:  
 1614  
 For : TOPICAL ORGANIC )  
 ECTOPARASITICIDAL FORMULATIONS )  
 Docket No. : X-11121 )

REQUEST FOR CORRECTED FILING RECEIPT

Assistant Commissioner for Patents  
 Office of Initial Patent Examination  
 Customer Service Center  
 Arlington, VA 22202  
 Sir:

Applicants request correction of the filing receipt for this application. A copy of the receipt, with the corrections noted, is enclosed.

Under the heading "Domestic Priority data as claimed by applicant," please replace the current text with -  
 -This application is a 371 of PCT/US00/19549 07/26/2000,  
 which claims priority from U.S. provisional application no.  
 60/148,508, filed August 12, 1999.

Applicants therefore request that the filing receipt be corrected.

Respectfully submitted,

*John C. Demeter*

John C. Demeter  
 Attorney for Applicants  
 Registration No.  
 Phone: 317-276-3785

Eli Lilly and Company  
 Patent Division  
 P.O. Box 6288  
 Indianapolis, Indiana 46206-6288

December 11, 2002  
 Enclosure: Copy of Filing Receipt with the changes noted thereon.



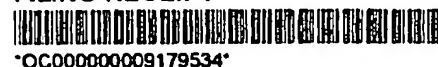
Commissioner for Patents  
Washington, DC 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/048,242 ✓	09/13/2002 ✓	1614	1570	X-11121		15	3

CONFIRMATION NO. 2645 ✓

25885  
ELI LILLY AND COMPANY  
PATENT DIVISION  
P.O. BOX 6288  
INDIANAPOLIS, IN 46206-6288

## FILING RECEIPT



\*OC00000009179534\*

Date Mailed: 12/03/2002

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

James Web Kassebaum, Indianapolis, IN; ✓  
Paul Thomas Pugh, Knightstown, IN; ✓  
William Webster Thompson, Indianapolis, IN; ✓

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/US00/19549 07/26/2000, ✓ which claims priority  
from U.S. provisional application no. 60/148,508, filed August 12, 1999.

## Foreign Applications

Projected Publication Date: None, application is not eligible for pre-grant publication

Non-Publication Request: No

Early Publication Request: No

DEC 16 2002

## Title

Topical organic ectoparasiticide formulations ✓

## Preliminary Class



PATENT

X-11121 JCD  
Dkt. No. \_\_\_\_\_ Atty. \_\_\_\_\_

RECEIVED BY THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

Serial No. 10/048242 OR Interference No. \_\_\_\_\_  
Filed: September 13 2002 Parties: \_\_\_\_\_  
Applicants: Kassebaum et al. \_\_\_\_\_

Response \_\_\_\_\_ Amendment/Response \_\_\_\_\_  
IDS/1449 \_\_\_\_\_ Assignment/Cover Sheet \_\_\_\_\_  
Notice of Appeal \_\_\_\_\_ Issue Fee \_\_\_\_\_  
Letter Trans./Brief \_\_\_\_\_ Express Abandonment \_\_\_\_\_  
Affirm 821/Diskette \_\_\_\_\_ Fee Authorization \_\_\_\_\_  
Trans./Decl. Power Atty \_\_\_\_\_ Communication \_\_\_\_\_

Other Papers:

Request for Corrected Filing Receipt

Certificate of Mailing

